

REMARKS

Claims 1-10 are pending in this application. Claims 1, 3, 4, and 6-8 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 9 and 10, and the indication of allowable subject matter in claims 2 and 5. By this Amendment, claims 1, 2, and 6 have been amended. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1, 3, 4, and 6-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,549,773 ("Linden"). Applicant respectfully traverses this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claims 1 and 6 not present in Linden is an inquiry section for inquiring of each other gateway units whether

identification information of said mobile communication terminal is registered in a service management information storing section.

In Linden, the gateway units do not query the other gateway units in the system to determine whether the identification information of the mobile communication terminal is registered in a service management information storing section. Thus, claim 1 is allowable over the cited reference.

Claims 3 and 4 depend from, and contain all the limitations of claim 1. These dependent claims also recite additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested by Linden and are also believed to be directed towards the patentable subject matter. Thus, claims 3 and 4 should also be allowed.

Claims 7 and 8 depend from, and contain all the limitations of claim 6. These dependent claims also recite additional limitations which, in combination with the limitations of claim 6, are neither disclosed nor suggested by Linden and are also believed to be directed towards the patentable subject matter. Thus, claims 7 and 8 should also be allowed.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the

Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: February 20, 2004

Respectfully submitted,

By _____
Ian R. Blum

Registration No.: 42,336
DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

1177 Avenue of the Americas - 41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant

IRB/mgs